

THOITS, LOVE, HERSHBERGER & McLEAN

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Financial Services, Inc.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

THE MCGRAW COMPANY, a California
corporation; and WESTERN SERVICE
CONTRACT CORP. a California corporation,

Plaintiffs,

v.

H-D MICHIGAN, LLC, a Michigan limited
liability company; and HARLEY-DAVIDSON
FINANCIAL SERVICES, INC., a Delaware
corporation,

Defendant.

And Related Counterclaims.

CASE NO. CV10-00539 JSW

STIPULATION TO EXTEND DISCOVERY
DEADLINES AND ~~PROPOSED~~ ORDER
THEREON

1 IT IS HEREBY STIPULATED by the parties hereto, through their respective counsel,
2 pursuant to Civil Local Rule 6-2, that:

3 (1) the last day for expert disclosure be extended from April 4, 2011 to May 4, 2011; and

4 (2) the current non-expert discovery cut-off be extended from April 4, 2011 to May 4,
5 2011.

6 All other court scheduled dates and deadlines shall remain the same.

7 Good cause exists to grant this extension as follows: the parties are working together to
8 resolve this matter. The parties attended mediation on December 9, 2010. They are in the process
9 of working out a settlement and anticipate reaching a mutual resolution shortly. To ensure the
10 parties are not prejudiced by their attempts to settle, and to avoid potentially unneeded litigation,
11 they mutually and in good faith, seek an extension of the remaining deadlines.

12 Previously, stipulations and orders resulted in the following time modifications:

13 On February 23, 2010, the parties stipulated and the Court ordered to extend the time for
14 plaintiffs to file an amended complaint to March 10, 2010 and for defendant to respond to the
15 complaint or first amended complaint, if applicable, to April 2, 2010.

16 On October 15, 2010, the parties stipulated and the Court ordered to extend the last day for
17 fact discovery from January 12, 2011 to March 4, 2011, and the last day for expert discovery
18 would be extended from March 25, 2011 to April 22, 2011.

19 On January 27, 2010, the parties stipulated and the Court ordered to extend all deadlines by
20 approximately one month.

21 The stipulation and proposed order, if issued, would affect the fact and expert discovery
22 cut-offs set by the Court via its scheduling order, dated June 21, 2010, Docket No. 20, in the
23 manner shown in Schedule A attached hereto.

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1 WHEREAS the last day for expert disclosure is April 4, 2011;

2 WHEREAS the current non-expert discovery cut-off is set for April 4, 2011;

3 WHEREAS the parties are currently in settlement negotiations and hope and anticipate
4 resolution of this matter;

5 WHEREAS in light of current settlement discussions the parties have agreed to extend
6 deadlines in this matter to save time and resources, avoid potentially unnecessary litigation and to
7 ensure no party is prejudiced;

8 NOW THEREFORE, the parties, through their respective counsel, hereby stipulate to and
9 request an order:

10 (1) extending the last day for expert disclosure of April 4, 2011 to May 4, 2011; and

11 (2) extending the current non-expert discovery cut-off of April 4, 2011 to May 4, 2011.
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15 DATED: March 24, 2011

THOITS, LOVE, HERSHBERGER & MCLEAN

17 By /s/ Andrew P. Holland

18 _____
19 Andrew P. Holland
20 Attorneys for Plaintiffs and Counterdefendants
McGraw Commercial Insurance Services and
Western Service Contract Corp.

21 DATED: March 24, 2011

PRUETZ LAW GROUP LLP

23 By /s/ Erica J. Pruetz

24 _____
25 Erica J. Pruetz
26 Attorneys for Defendant and Counterclaimants
27 H-D Michigan, LLC and Harley-Davidson-
28 Financial Services, Inc.

Declaration of Consent

Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty of perjury that concurrence in the filing of this document has been obtained from Andrew P. Holland.

DATED: March 24, 2011


PRUETZ LAW GROUP LLP

By /s/ Erica J. Pruetz

Erica J. Pruetz
Attorneys for Defendant and Counterclaimants
H-D Michigan, LLC and Harley-Davidson-
Financial Services, Inc.

IT IS SO ORDERED.

DATED: March 24, 2011



HON. JEFFREY S. WHITE
United States District Judge